

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR MINIMUM (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 6 FEET FOR A PROPOSED HOME IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (RAYMOND KROGMAN, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

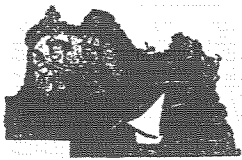
Agenda Date 3-28-05 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR MINIMUM (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 6 FEET FOR A PROPOSED HOME IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (RAYMOND KROGMAN, APPLICANT); OR
2. **DENY** REQUEST FOR MINIMUM (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 6 FEET FOR A PROPOSED HOME IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (RAYMOND KROGMAN, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: RAYMOND KROGMAN LOCATION: 3030 HOLLIDAY AVENUE ZONING: R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> THE APPLICANT PROPOSES TO DEMOLISH AN EXISTING HOME AND CONSTRUCT A NEW HOME IN THE SAME LOCATION, WHICH WOULD RESULT IN A 4 FOOT ENCROACHMENT INTO THE MINIMUM (WEST) SIDE YARD; THE AFOREMENTIONED VARIANCE IS THEREBY REQUESTED. THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<p>THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCE. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none"> NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE LOT OR PROPOSED HOME HAVE BEEN DEMONSTRATED. THE PROPOSED HOME COULD BE RELOCATED ELSEWHERE ON THE PROPERTY TO COMPLY WITH DISTRICT SETBACK AND WIDTH AT

	<p>BUILDING LINE REQUIREMENTS;</p> <ul style="list-style-type: none">• THE REQUESTED VARIANCE WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA DISTRICT; AND• THE APPLICANT WOULD RETAIN REASONABLE USE OF THE PROPERTY WITHOUT THE REQUESTED VARIANCE.
STAFF RECOMMENDATION	<p>BASED ON THE PROPOSED SITE PLAN AND THE REPRESENTATIONS OF THE APPLICANT, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUESTED VARIANCE. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED HOME AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION
1101 EAST FIRST STREET (ROOM 2201)
SANFORD, FL 32771
(407) 665-7444 PHONE (407) 665-7385 FAX

COPY

APPL. NO. BY2005-013

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

- ☒ **VARIANCE** ^{minimum} Side (west) yard setback variance from 10' to 6' for a proposed home
- ☐ **SPECIAL EXCEPTION**
- ☐ **MOBILE HOME SPECIAL EXCEPTION**
- ☐ EXISTING (YEAR _____) ☐ PROPOSED (YEAR _____)
- ☐ REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME _____
- ANTICIPATED TIME MOBILE HOME IS NEEDED _____
- PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN _____
- MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO
- ☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>STEPHEN W. CARNES</u>	<u>RAYMOND KROGMAN</u>
ADDRESS	<u>3030 HOLLIDAY AVE</u>	<u>3132 HOLLIDAY AVE</u>
	<u>APOPKA FL 32703</u>	<u>APOPKA FL 32703</u>
PHONE 1	<u>1-407-436-6000</u>	<u>407-810-0952</u>
PHONE 2		
E-MAIL		

PROJECT NAME: Holliday Avenue (3030)

SITE ADDRESS: 3030 Holliday Ave.

CURRENT USE OF PROPERTY: SFR

LEGAL DESCRIPTION: see attached

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 18-21-29-513-0000-0020

UTILITIES: ☒ WATER ☒ WELL ☐ SEWER ☒ SEPTIC TANK ☐ OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS NA

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on 3, 28, 05
(mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Stephen W. Carnes
SIGNATURE OF OWNER OR AGENT*

2-3-05
DATE

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

APPEAL FROM BOA DECISION TO BCC

APPELLANT INFORMATION

NAME

ADDRESS

PHONE 1

PHONE 2

E-MAIL

NATURE OF THE APPEAL

APPELLANT SIGNATURE

FOR OFFICE USE ONLY

PROCESSING:

FEE(S): \$ 150.00 COMMISSION DISTRICT 3 FLU/ZONING LDR/R-1-AA

BCC HEARING DATE (FOR APPEAL)

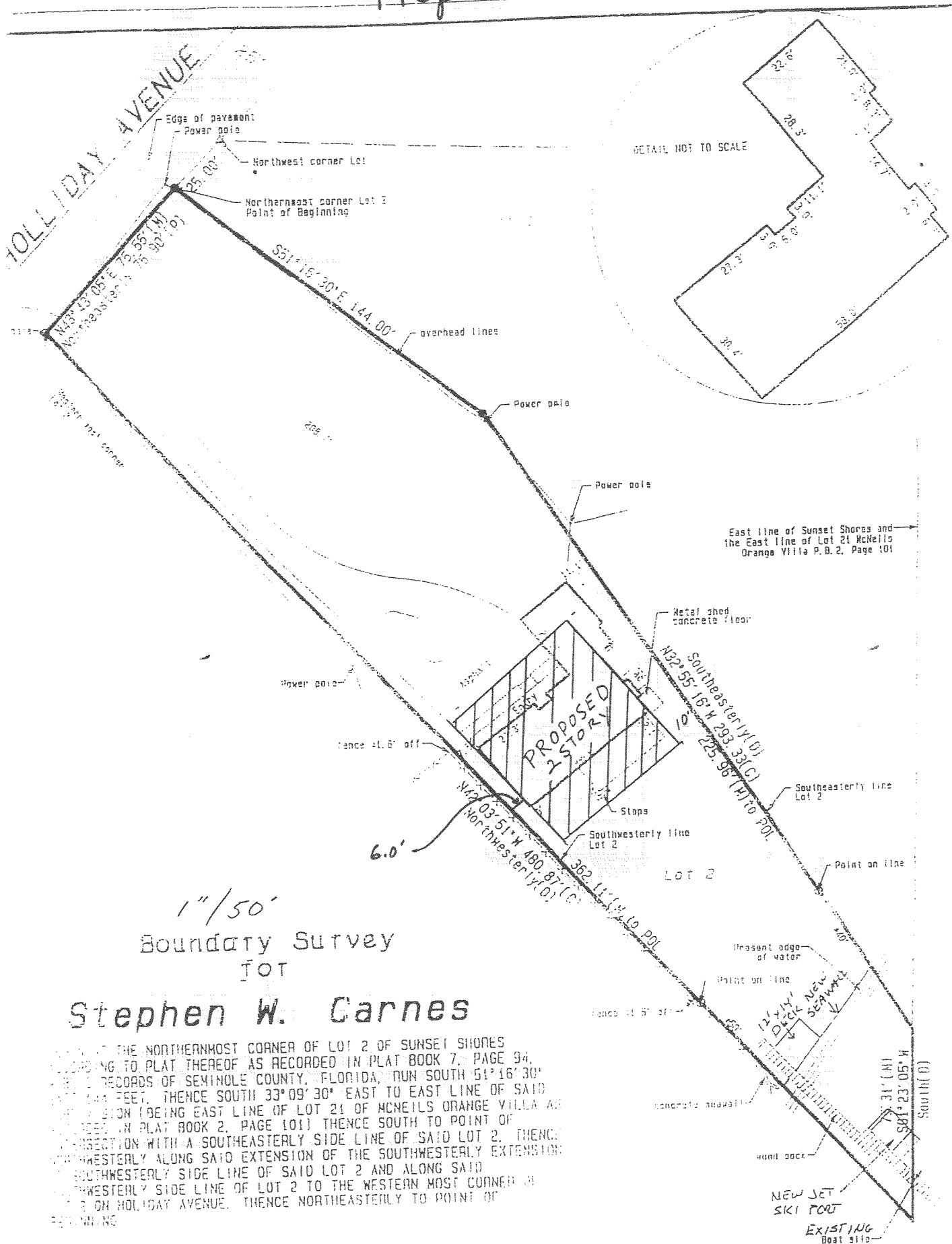
LOCATION FURTHER DESCRIBED AS on SE side of Holliday Ave. approx
475' NE of inters. of Balmy Beach Dr. & Holliday Ave.

PLANNING ADVISOR JV

DATE

SUFFICIENCY COMMENTS

"Proposed"



1"=50'
Boundary Survey
for

Stephen W. Carnes

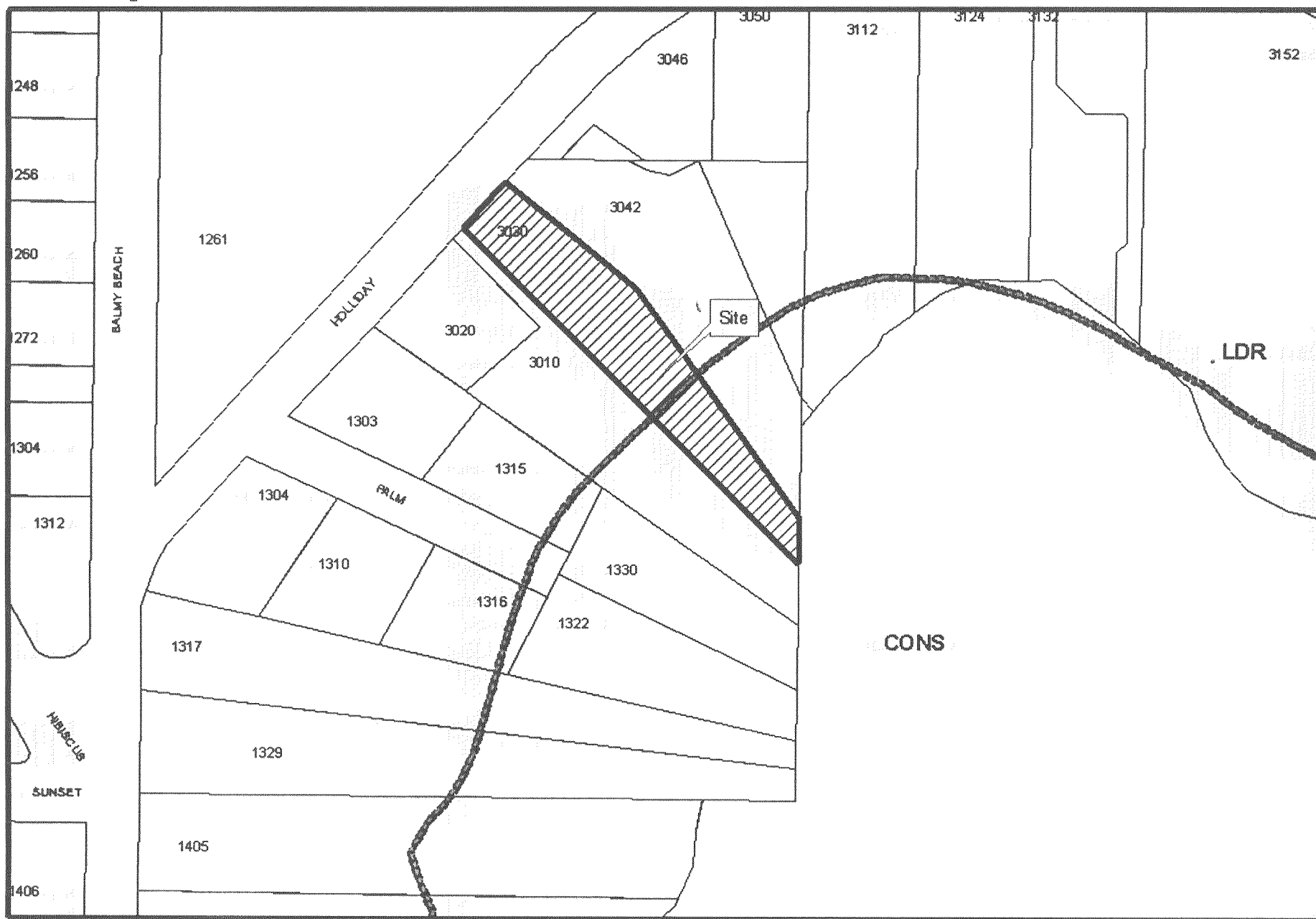
AT THE NORTHERNMOST CORNER OF LOT 2 OF SUNSET SHORES
ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 94,
RECORDS OF SEMINOLE COUNTY, FLORIDA, RUN SOUTH 51° 16' 30"
WEST 144 FEET, THENCE SOUTH 33° 09' 30" EAST TO EAST LINE OF SAID
DIVISION (BEING EAST LINE OF LOT 21 OF MCNEIL'S ORANGE VILLA AS
SHOWN IN PLAT BOOK 2, PAGE 101) THENCE SOUTH TO POINT OF
INTERSECTION WITH A SOUTHEASTERLY SIDE LINE OF SAID LOT 2, THENCE
SOUTHWESTERLY ALONG SAID EXTENSION OF THE SOUTHWESTERLY EXTENSION
SOUTHWESTERLY SIDE LINE OF SAID LOT 2 AND ALONG SAID
SOUTHWESTERLY SIDE LINE OF LOT 2 TO THE WESTERN MOST CORNER OF
LOT 2 ON HOLIDAY AVENUE, THENCE NORTHEASTERLY TO POINT OF
BEGINNING

BOUNDARY BASED ON EXISTING MONUMENTATION
AS FOUND IN FIELD. OTHER MATTERS NOT
KNOWN TO THIS SURVEYOR AT TIME OF SURVEY

PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-865-7508																																																																	
GENERAL Parcel Id: 18-21-29-513-0000-0020 Tax District: 01-COUNTY-TX DIST 1 Owner: CARNES STEPHEN W Exemptions: 00-HOMESTEAD Address: 3030 HOLLIDAY AVE City,State,ZipCode: APOPKA FL 32703 Property Address: 3030 HOLLIDAY AVE APOPKA 32703 Subdivision Name: SUNSET SHORES Dor: 01-SINGLE FAMILY																																																																	
2005 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$134,099 Depreciated EXFT Value: \$2,490 Land Value (Market): \$227,200 Land Value Ag: \$0 Just/Market Value: \$363,789 Assessed Value (SOH): \$363,789 Exempt Value: \$25,000 Taxable Value: \$338,789 Tax Estimator																																																																	
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NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																																																																	



Raymond Krogman
3030 Holliday Ave.
Apopka, FL. 32703



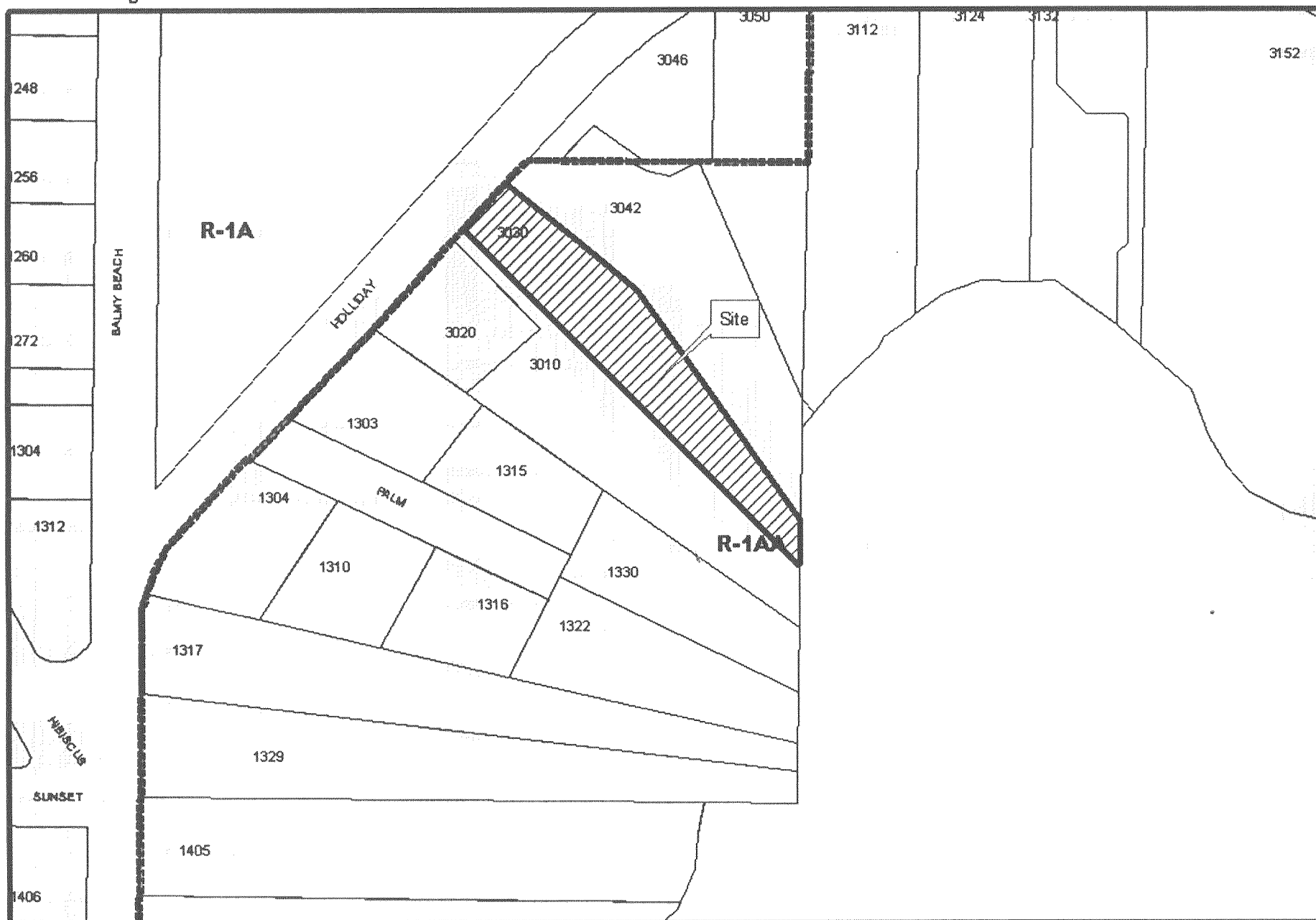
18-21-29-513-0000-0020

BV2005-013

0 25 50 100 150 200 Feet



Stephen M. Carter
Raymond Krogman
3030 Holliday Ave.
Apopka, FL. 32703



FILE NO.:	BV2005-013	DEVELOPMENT ORDER #	05-30000013
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SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On March 28, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG BEG MOST NLY COR LOT 2 RUN S 51 DEG 16 1/2 MIN E 144 FT
S 33 DEG 9 1/2 MIN E TO E LINE OF SUB S TO MOST SLY COR LOT 2
N 42 DEG 21 MIN W TO HOLLIDAY AVE NELY 75.9 FT TO BEG
SUNSET SHORES PB 7 PG 94

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: STEPHEN CARNES
3030 HOLLIDAY AVENUE
APOPKA, FL 32703

Project Name: HOLLIDAY AVENUE (3030)

Requested Development Approval:

MINIMUM (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 6
FEET FOR A PROPOSED HOME IN THE R-1AA (SINGLE-FAMILY DWELLING
DISTRICT).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Francisco Torregrosa, Planner
1101 East First Street
Sanford, Florida 32771

FILE NO.:	BV2005-013	DEVELOPMENT ORDER #	05-30000013
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Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 1. The variance granted will apply only to the proposed home as depicted on the attached site plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

FILE NO.:	BV2005-013	DEVELOPMENT ORDER #	05-30000013
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Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: